

NMIT DELEGATIONS POLICY

MOKAMOKA WHAKAAETANGA | APPROVAL DETAILS

Section	Executive		
Approval Date	18.02.2026	Sponsor	Director Digital, Finance and Risk
Next Review	01.01.2029	Approved by	NMIT Council

NGĀ WHAKATIKATIKA | AMENDMENT HISTORY

Version	Effective Date	Created/ Reviewed by	Reason for review / comment
1	01.01.2026	Transition Lead	New

Mō wai me te whānuitanga | Audience and scope

This policy applies to:

- All employees of NMIT, including contracted staff and secondees providing services for NMIT; and those on fixed term contracts (may be collectively referred to as kaimahi in this policy); and
- All governors of NMIT including members and advisors of NMIT Council and governance committees or boards (collectively referred to as governors in this policy).

Te Pūtaki | Purpose

A delegation is the authority to approve and enter into financial or other commitments on behalf of NMIT. This policy establishes the framework for the delegation of authority to the Chief Executive Officer (CEO) and kaimahi, and the exercise of that delegated authority to ensure the effective and efficient management of NMIT.

This policy:

- promotes responsibility, accountability, clarity and quality decision making, and
- applies to all decision making (decisions to act or not to act, and to financial and non-financial decisions, and
- is subject to regular review.

The specific functions and powers delegated in accordance with this policy are set out in a separate Delegations Register.

Ngā Mātāpono | Principles

Decision making considerations

All kaimahi exercising their delegated authority are accountable to the delegator for the satisfactory performance or exercise of the Delegated Authority (DA) and should:

- Ensure that they have taken into account all relevant information, considered all options and risks and obtained appropriate advice;

- Exercise their judgment about whether it is appropriate in any particular circumstances to make the decision, seek a range of input from others and/or seek a higher level of authorisation or visibility prior to final decisions being made; and
- Keep a record of advice, considerations and their final decision.

Where there is any conflict within this policy or the accompanying Delegations Register or other specific delegations, the lesser authorisation interpretation shall prevail unless agreed with the CEO. In the event of ambiguity of the application of these rules, the person holding the role equivalent to the Chief Finance Officer or their delegate may provide guidance, and if the ambiguity cannot be resolved, the matter shall be escalated to the CEO for approval.

General decision-making limitations and escalations

Any decision that does not meet the criteria in this policy must be escalated to the decision maker's manager. The manager will then take the decision to decline, approve or further escalate.

An individual with delegated authority must exercise their financial delegation in accordance with:

- the purpose of the appropriation to which the budget applies
- this policy and guidelines
- all legislation, Treasury and Cabinet guidelines, and Ministerial instructions
- all other applicable NMIT policy, rules, and guidelines If an individual acts outside the limits of their delegated powers, they incur risk for both themselves and for NMIT. This may lead to disciplinary action and could result in personal liability for them (that is, they may be required to pay) if they exercised the authority for expenditure unlawfully or negligently.

Conflicts of Interest and Probity

A person who is to perform a function, duty or exercise a power that is delegated in accordance with this policy:

- Must, before performing the function or duty or exercising the power, consider whether they have (or, as the case requires, will have) any actual, potential or perceived conflicts of interest with any supplier or third party associated with the decision; and
- If the person has (or will have) any such conflicts of interest, these must be declared following direction in relevant policies.

All expenditure by NMIT is the spending of public money. Consequently, the expenditure should be:

- Subject to the standards of probity and financial prudence that are to be expected of a public entity (including "value for money" and the requirement for another person to concur in the approval of some transactions); and
- Able to withstand Parliamentary and public scrutiny.

Guidance is provided in associated procurement policies, the NMIT Conflict of Interest Policy, the NMIT Code of Conduct, the Public Service Commission Code of Conduct, Government Procurement Rules, and statements of good practice issued by the Controller and Auditor-General of New Zealand, including for example "*Procurement*" and "*Controlling Sensitive Expenditure: Guidelines for public entities*".

Delegation Levels

The Delegation Levels shall be specified within the Delegations Register which shall set the maximum delegation limit for each level. Each role shall be assigned to a Delegation Level.

Once a delegation level has been established for a role, the delegation is then attached to that role. Therefore, if the incumbent moves to another role, their delegation does not follow them. Similarly, a new appointee into a role with a delegation automatically receives that delegation.

Kaupapa Here | Policy Statements

1. Expenditure of Public Money

- 1.1 All expenditure by NMIT is the spending of public money. Consequently, the expenditure should be:
- a) Subject to the standards of probity and financial prudence that are to be expected of a public entity, including value for money; and
 - b) Able to withstand Parliamentary and public scrutiny.

2. Authority Must Exist

- 2.1 Kaimahi shall not commit NMIT to any obligation or incur any liability included in this Policy unless:
- a) They are one of the people authorised to do so in accordance with an actual delegation; or
 - b) They have the required authority properly sub-delegated to them by a person so authorised; or
 - c) The Council or the CEO specifically authorises the person in writing to make the commitment or incur the liability.
- 2.2 Any employee of NMIT who exercises any of the delegated authorities set out within this Delegations Policy must do so in accordance with the Policy. Any action taken to circumvent the delegated authorities specified within this Policy is not acceptable and NMIT may take further action, including any disciplinary action considered necessary given the circumstances.

3. Financial Value of Transaction

- 3.1 In determining who needs to authorise within their delegation, the GST (NZD) exclusive value of the delegation needs to be considered. All financial delegations including the schedules attached to this Policy represent the GST exclusive value.
- 3.2 Financial delegations will apply on a per instance basis (expenditure, contract, etc). Instances may not be split or diluted in order to meet a delegation threshold.

4. Sub-Delegation

- 4.1 A person may not sub-delegate or assign any of the functions, duties or powers they have been delegated, unless this is expressly permitted by the delegation concerned or they have the written consent of NMIT's Council and/or CEO of NMIT.
- 4.2 Any sub-delegation or assignment of delegation must be confirmed, in writing, by a person with the authority to make such sub-delegation.

5. Personal Gain

- 5.1 No person receiving a delegation under this Policy shall perform any function or duty, or exercise any power, including the approval of any transaction, that relates to themselves or for the purpose of personal gain. In all such instances, approval for the function, duty or power must be provided based on the "one-up" principle, i.e. the approval must be given by the person's immediate manager or an appropriate person above the individual's level within the organisation.

6. Conflict of Interest

- 6.1 A person who receives a delegation under this Policy must, prior to exercising that delegation, consider whether or not they have, will have, or may be perceived to have, a conflict of interest with NMIT.
- 6.2 If a person has, will have, or may be perceived to have, a conflict of interest, they must immediately notify their immediate manager of any such conflict or perceived conflict. The person, and their immediate manager, should document the notification and the agreed plan on how that conflict or perceived conflict will be managed in accordance with the NMIT Conflict of Interest Policy.
- 6.3 If a person has (or will have) a conflict of interest, he or she must give the Council a statement disclosing the conflict, and must inform the Council of any relevant change in the delegate's circumstances affecting a matter disclosed in that statement, as soon as practicable after the change occurs.
- 6.4 A delegate who is interested in a transaction of NMIT may not perform a function or duty, or exercise a power, under the delegation, if the function, duty or power relates to the transaction except where the Council gives its prior written consent.

7. Segregation of Duties

- 7.1 There will be appropriate segregation of duties, with at least two people involved in each transaction, or as specified in the delegation schedules outlined in this Policy.
- 7.2 The following are noted for the sake of clarity in the approvals process:
- a) For expenses related to NMIT's CEO, the Council Chair shall give the requisite approval.
 - b) For expenses related to any Council Member, the Council Chair shall give the requisite approval.
 - c) For expenses related to the Council Chair, the Chair of NMIT's Risk & Audit Committee and the person holding the position equivalent of Chief Finance Officer, shall give the requisite approval.

8. Revocation or Termination of Authority

- 8.1 Every delegation shall remain in force until it is revoked. The revocation must be in writing.
- 8.2 All delegations of authority are automatically revoked in respect of an individual upon the termination of employment of that person.
- 8.3 The termination of employment will not affect the authority of those people who have been sub-delegated authority by that person.
- 8.4 All delegations of authority may be revoked in whole or in part at any time by the Council.
- 8.5 Where the CEO's employment terminates, the delegations will pass unchanged to the "Acting Chief Executive Officer" or the new CEO, unless otherwise resolved by the Council.

9. Compliance with NMIT Policies and Procedures

- 9.1 All delegated authorities are exercised on the Council's behalf and shall be exercised in accordance with other relevant policies and procedures set by the Council or NMIT from time to time.

10. Compliance with Legislation and Other Requirements

- 10.1 All delegated authorities shall be exercised in accordance with all applicable legislation and other binding directions upon the Council and NMIT. These include the Crown Entities Act 2004, the Education and Training Act 2020 (and as amended), Ministerial direction and Cabinet direction.

11. Civil Emergency or Similar Event

- 11.1 In the event of a civil emergency or similar such event, the delegations specified under this Policy may be exceeded or over-ridden by any person with the authority provided under that civil emergency. As soon as practicable, after the event, the rationale for the changed delegations shall be made in writing.

12. Powers, Duties and Functions Retained by the Council

- 12.1 The Council wishes to retain all of its statutory powers, functions and duties not delegated to a committee or to the CEO.

- 12.2 Without limitation, the Council will exercise decisions in respect of major expenditure, including:

- a) Revenue and funding contracts above the financial limitation delegated to the CEO
- b) Capital expenditure above financial limitation delegated to the CEO
- c) Expenditure for major maintenance above the financial limitation delegated to the CEO
- d) Financial delegations above the financial limitation delegated to the CEO
- e) Property matters subject to any conditions in respect of the Council's approval
- f) The terms and conditions of employment of the CEO.

- 12.3 The Council will exercise decisions on vocational education delivery functions, and carry out major policy, business planning and quality assurance functions. The Council may exercise decisions such as:

- a) Entering into major service agreements
- b) Entering into leases, licences and tenancy agreements and their variation, termination and assignment with Ministerial approval
- c) Entering into major financial commitments in relation to the provision of goods or services
- d) Initiating or defending litigation or giving approval of litigation
- e) Signing licensing applications
- f) Making decisions in respect of the power to borrow or raise finance, subject to the restrictions and requirements in the Crown Entities Act and any applicable regulations.

13. Matters requiring Ministerial Approval

- 13.1 The following matters require approval from the Minister of Vocational Education (and/or Minister of Finance):

- a) Entering into cooperative arrangements where Ministerial consent is required in accordance with an Act of Parliament
- b) Holding shares or interests in a body corporate or in a partnership, joint venture, or other association or persons
- c) Selling, exchanging, mortgaging or charging of land
- d) Granting a lease or licence for a term of more than 5 years over land

- 13.2 Other miscellaneous matters requiring the consent of the Minister under legislation (e.g. granting guarantees and indemnities not provided for under the Public Finance Act 1989 and the Crown Entities Act 2004 and their regulations).

14. Signing documents on behalf of NMIT

- 14.1 All contracts entered into by NMIT with external parties must be signed by a person who has the delegated authority to approve the commitments within the contract, except as provided below:

- a) Some documents known as "deeds" must be signed in accordance with strict legal requirements. Deeds must be signed by two Council members, or one Council member and an authorised signatory. All deeds must be referred to the CEO and/or the person holding the position equivalent of the Chief Finance Officer who will consider whether to seek a legal review prior to signature.

The Council may approve a Power of Attorney (POA) that provides specific authority to the person(s) named in that POA to sign Deeds on behalf of the Council.

b) Where NMIT is required to demonstrate duly authorised signatories approved by the Council, in the absence of any other specific authority from the Council, these are:

- Chief Executive Officer
- Director Digital, Finance & Risk
- Director Demand Management
- Director Academic & Teaching
- Director Maori and Learner Success

14.2 The CEO shall determine any terms and conditions applicable to the signing of contracts (including deeds) by those duly authorised signatories, other than for those powers, duties and functions retained by the Council.

15. Standing delegations to Committees

15.1 Pursuant to section 73 of the Crown Entities Act 2004, the NMIT Council delegates to each Committee of the Council those powers and functions specified in Part A of the Register of Standing Delegations. The Council may delegate authority to a Committee in relation to any additional matter by way of a resolution of the Council to that effect.

16. Standing Delegations to the Chief Executive Officer

16.1 Pursuant to section 73 of the Crown Entities Act 2004, the Council delegates to the CEO of NMIT all management powers and functions necessary for the operation of NMIT. This includes consent to sub-delegate in the manner set out at paragraphs 3.1 to 3.6 below.

17. Parameters of Chief Executive Officer's standing delegations

17.1 What is necessary for the "operation of NMIT" is determined by reference to the strategic direction set by Council as documented in the current Investment Plan of NMIT and other strategic documentation (Council's Direction). The CEO does not have any authority to undertake (or permit to be undertaken) any action or transaction that is not aligned with the Council's Direction.

17.2 The CEO does not have delegated authority in relation to:

- a) any of the functions or powers specified in the Education and Training Act 2020 as not capable of delegation; and
- b) any matter reserved for the Council as per Appendix 1. This includes not having any authority to enter into:
 - i. any expenditure or capital commitment or arrangement exceeding the applicable annual budget for NMIT (except to the extent that the Council expressly authorises the CEO to do so)
 - ii. any expenditure or capital commitment or arrangement exceeding any sub-limit as shown within the applicable annual budget for NMIT, in each case, unless the Council provides a separate express authority to do so, and
 - iii. undertake and/or approve any action, transaction or activity where the Treasury Policy provides that the Council retains authority to approve that action, transaction or activity.

17.3 Where a matter is outside the parameters set for the CEO, the matter must be referred to the Council for decision making or to such Committee of the Council as may have the delegated authority of the Council in relation to the particular matter.

- 17.4 Any expenses relating to phone, internet or work from home needs that are outside of the CEO's delegation should be approved in consultation with the Chair and then reported to the next Council meeting.
- 17.5 The CEO must exercise their delegated authority in a manner that complies with all policies and procedures of NMIT and withstands internal and external scrutiny. In addition, the CEO will:
- a) keep the Chair informed of any matter within the parameters of their delegation which could have material ramifications for NMIT
 - b) consult with the Chair in relation to the recruitment of any kaimahi who will report directly to the CEO
 - c) seek approval from the Chair for any overseas travel by the CEO; and
 - d) consult with the Chair if they are uncertain as to the scope of their delegated authority and take direction from the Chair prior to exercising the delegated authority.

18. Authority of the Chief Executive Officer to Sub-Delegate

- 18.1 The CEO is authorised to sub-delegate to specific roles across NMIT pursuant to section 74 of the Crown Entities Act 2004. All delegates must act within the scope of their delegated authority and in a responsible manner.
- 18.2 Except with the prior written approval of NMIT Council, neither the CEO nor any sub-delegate may exercise any delegated authority in relation to a matter where they have a conflict of interest.
- 18.3 The CEO is authorised to adopt a register of standing delegations in relation to positions within NMIT, rather than named individuals. If an individual moves from one position in the organisation to another position, the delegations relating to the initial position no longer apply to that individual. Any delegation to a specified role may also be exercised by the line manager for that role. This policy must be read in conjunction with the current register of standing delegations approved by the CEO.
- 18.4 The CEO is authorised to amend or revoke any standing delegations from time to time (without recourse to the Council) in so far as they relate to their sub-delegations where they consider this necessary to enhance the efficiency of NMIT operations or to reflect changes to the organisational structure.
- 18.5 A delegate is authorised to take any action or sign any document within their delegated authority but subject to the following:
- a) Delegates must comply with any legal requirements and / or any applicable policies and procedures in relation to entry into the agreement / subject matter of the document (including adherence to conflicts of interest and procurement requirements).
 - b) All delegations and authorisations must promote efficiency and effectiveness and provide clear accountability.
 - c) The delegation must be exercised within the limits of the relevant approved budget and cost centre. Delegates must not approve expenditure for a cost centre for which they are not responsible, except with the prior written permission of the cost centre owner.
 - d) Delegates can further sub-delegate standing delegations where the CEO (or their delegate) authorises this.
 - e) Transactions must not be structured to attempt to avoid the financial limits set out in this policy (e.g. by splitting purchases over more than one purchase order, or multiple invoices for a purchase). For the avoidance of doubt, delegations include the authority to take any other action necessary or desirable to give effect to the decision. For example, an authority to commit to expenditure includes an authority to make payment.

19. Breach of Delegations

- 19.1 Kaimahi who breach this policy will be subject to disciplinary action which can include dismissal without notice. Any intentional breach may also lead to criminal charges.

20. Temporary Delegated Authorities

- 20.1 Temporary delegated authorities for leave or other purposes may be approved by the following persons:

- a) Any temporary delegation of the CEO's delegated authorities must be approved by the Chair.
- b) Any temporary delegation of an member of the Senior Leadership Team delegated authorities must be approved by the CEO.
- c) Any temporary delegation of any other kaimahi member's delegated authorities must be approved by a member of the Senior Leadership Team.

- 20.2 Temporary delegated authorities will be subject to the following restrictions:

- a) The authority may only be exercised for the purpose for which it is made.
- b) All temporary delegated authorities will be made for a fixed period and, unless renewed, will automatically expire on the conclusion of that fixed period.
- c) Kaimahi may grant temporary delegated authorities to kaimahi members at the same or higher delegated financial authority level, provided that kaimahi are not required to grant temporary delegated authorities to their line manager or Executive member within their reporting line.
- d) The CEO and Senior Leadership Team may grant temporary delegated authorities to kaimahi members at a lower delegated financial authority level. All other kaimahi may not grant temporary delegated authorities to kaimahi at a lower delegated financial authority level.

21. Assurance in relation to exercise of sub-delegations

- 21.1 It is the responsibility of the CEO and senior management to oversee the exercise of delegations under the standing delegations.

- 21.2 Those with delegated authority are accountable for their use of that delegated authority. Delegated Authority holders must comply with the standing delegations issued by the CEO and all applicable policies and legislation. It is an expectation that those with delegated authority will have proper regard to any standards of accepted practice and the potential risks to NMIT as a result of each exercise of delegated authority and will seek appropriate advice where necessary and prior to using or committing delegated authority (including obtaining any advice to inform decision making such as human resources, legal and/or financial advice).

- 21.3 Line managers and/or cost centre owners are expected to:

- a) monitor the exercise of delegations in their area.
- b) take or recommend action where a delegate acts outside of their delegated authority or exercises that authority in a manner inconsistent with the policies and procedures of NMIT. Such conduct may be a breach of their employment agreement and may lead to disciplinary action. Any intentional breach may also lead to criminal charges.

- 21.4 The CEO and the Senior Leadership Team are required to provide annual assurances that the policies of NMIT have been adhered to and financial controls exercised over the resources of the area for which they hold a budget. These assurances will form part of NMIT complying with its legislative compliance assurance requirements under the Public Finance Act 1989, or such other assurance as required by our external auditors.

21.5 The efficacy of register of standing delegations will be subject to monitoring by the Internal Audit Function of NMIT.

Pūrongo me te Whakapūmau | Reporting and Assurance

Regular reports will be submitted to Council and/or a committee of Council:	
Submitted by	Director Digital, Finance & Risk
Submitted to	Audit and Risk Committee
What must be reported	Material exceptions of breaches of the Policy
Reporting cadence	As required
Is immediate escalation required for material events?	No unless reported in line with the Fraud Policy

Ngā Haepapa | Responsibilities

Role	Responsibilities
NMIT Council	Remain responsible and accountable for the exercise of any delegated function or power May exercise a delegated power or function at any time Monitor the performance of their delegates Revoke any delegations granted at will.
Committees of the Council	Act in accordance with relevant Terms of Reference and within delegated authority set out in the Delegations Register.
Chief Executive Officer (CEO)	Remain responsible and accountable for the exercise of any delegated function or power May exercise a delegated power or function at any time Monitor the performance of all delegates Revoke delegations at will.
Kaimahi	Be aware of: <ul style="list-style-type: none"> Any functions and powers delegated to your role The limits of your authority to act on behalf of NMIT; and The rules, policies and processes relevant to the exercise of your delegations.

Ngā Hononga ki Tuhinga kē | Links to other documents

NGĀ KAUPAPA-HERE E HANGAI ANA | RELATED POLICIES

Kaimahi Code of Conduct
NMIT Conflict of Interest Policy
NMIT Koha Policy
NMIT Procurement Policy
NMIT Sensitive Expenditure Policy

NGĀ TUKANGA ME NGĀ HĀTEPE | RELATED PROCESSES, PROCEDURES

NMIT Delegations Register

TURE WHAI TAKE | RELEVANT LEGISLATION

[Education and Training Act 2020](#)
[Crown Entities Act](#)
[Public Finance Act 1989](#)

Appendix 1 **Matters Reserved for NMIT Council**

APPENDIX 1 MATTERS RESERVED FOR NMIT COUNCIL

Matter	Requirements
Governance	
Govern NMIT (including, without limitation, approval of the Statement of Intent and Statement of Performance Expectations)	In accordance with the Education and Training Act 2020, the Crown Entities Act 2004 and all relevant legislation, having regard to the Investment Plan, the Charter and the long-term strategic direction set by NMIT Council. Approval of Statement of Intent and Statement of Performance Expectations is subject to engaging with the Council's Advisory Committees in accordance with the requirements of the Education and Training Act 2020.
Approve the long-term strategic direction and Investment Plan of NMIT	Engaging with the Council's Advisory Committees in accordance with the requirements of the Education and Training Act 2020. Following interrogation and endorsement of the Risk and Audit Committee.
Approve the budget	Following interrogation and endorsement of the Risk and Audit Committee.
Approve the Annual Report and quarterly report	Following interrogation and endorsement of the Risk and Audit Committee.
Appoint / reappoint or remove the Chief Executive Officer	On the recommendation of the Appointment and Remuneration Committee.
Monitor and evaluate the Chief Executive Officer's performance	On the recommendation of the Appointment and Remuneration Committee and/or any other feedback from stakeholders.
Set the parameters of delegated authority vested in the Chief Executive Officer	
Recommend to the Minister that a member of the Council be removed from office	
Determine the Council's annual work plan and all other matters necessary to support the business of the Council	
Manage disclosures of interest from the Council	In a manner that complies with the Education and Training Act 2020.
Appoint, alter, discharge and reconstitute committees of the Council and delegate authority of the Council to such committees.	In a manner consistent with the requirements of the Education and Training Act 2020 which requires the Council engage with its Advisory Committees on matters relating to strategic direction.
Attend to all matters required by NMIT as a shareholder under the Companies Act 1993 including the	Note: with authority delegated to the Appointment and Remuneration Committee in relation to the appointment of

incorporation of any new subsidiary or controlled entity or the winding up of any existing entity.	Directors to subsidiaries and Trustees to Trusts where NMIT has a power of appointment.
Academic	
Establish an Academic Committee and consider advice from the Academic Committee	In accordance with the Education and Training Act 2020 (particularly section 324).
Grant (and rescind) qualifications and awards or delegate the manner in which qualifications and awards are to be granted.	Delegated to NMIT Academic Committee.
Finance and Contracts	
Approve any matter not within the delegated authority of the Chief Executive Officer including approving any of the matters set out in section 282(4) of the Education and Training Act 2020 unless one of the exceptions set out section 282(5) applies. The matters set out in section 282(4) are as follows: <ul style="list-style-type: none"> i. selling or otherwise disposing of property assets (land and buildings) or interests in property assets; or ii. mortgaging or otherwise charging assets or interests in assets; or iii. granting leases of land or buildings or parts of buildings; or iv. borrowing, issuing debentures or otherwise raising money 	Must have regard to the thresholds determined by section 282(5) of the Education and Training Act 2020 which relates to the ability to: <ul style="list-style-type: none"> v. sell or otherwise dispose of property assets (land and buildings) or interests in property assets; or vi. mortgage or otherwise charge assets or interests in assets; or vii. grant leases of land or buildings or parts of buildings where the relevant statutory thresholds are exceeded; or viii. borrow, issue debentures or otherwise raise money
Authorising capital expenditure and related contracts where the value of the expenditure exceeds \$5 million over the entire term of the proposed expenditure or contract.	Having regard to any recommendations from the Risk and Audit Committee.
Approve the level of insurance cover	Following the interrogation by and recommendation of the Risk and Audit Committee.
Approve the format of the common seal of NMIT	
Subject to a valid Power of Attorney being issued by the Council to a relevant delegated authority holder, execution of any deeds (which requires the signature of at least 2 members of the Council)	